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**REMARKS—General**

By the above amendment, applicants have made a minor correction to Claim 20.

Also, applicants will show that the original independent claims define the invention patentably over the prior art.

**The Rejection of Claim 20 Under § 112**

Claim 20 was rejected under § 112 since it referred to "the method of Claim 1" and no method has been cited in Claim 1. Applicants regret this oversight and acknowledge the Examiner's diligence with appreciation. Applicants have corrected Claim 20 to read, "the method of Claim 11," and therefore request withdrawal of this rejection.

**The Rejection of Claims 1-4, 8, 10-14 and 18 on Holm Overcome**

The O.A. rejected independent claims 1-4, 8, 10-14, and 18 on Holm. Applicants request reconsideration of this rejection for the following reasons:

- (1) The present invention, as claimed in independent claims 1 and 11, shows novel physical structure over Holm.
- (2) The method of the present invention, as claimed in independent claim 11, is not analogous to Holm.
- (3) These novel physical features of claims 1 and 11 produce new and unexpected results, and hence are unobvious and patentable over this reference.

**The Reference and Differences of the Present Invention Thereover**

Prior to discussing the claims and the above three points, applicants will first discuss the reference and the general novelty of the present invention and its unobviousness over the reference.

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Holm retains the pages of reading matter in an open position, but the pages cannot be turned without removing the retaining line and subsequently replacing it. Applicants turn pages against the line itself without touching the apparatus.

**Claims 1 and 11 Clearly Define Over Holm Under § 102**

The O.A. stated that "The patent to Holm discloses a page holder (100) applied directly to a book, with a tensioning mechanism (107) which is a self retracting spring (107C) biased reel (107A) set at a predetermined strength, a plurality of clamp gripping members (108), a retaining monofilament line (106) of a predetermined length, tensioning mechanism attached to one of the gripping members (108) and the other end of the line being attached to the second gripping member."

Holm's object (100) is an easel-type book holder—a support for reading matter—and the book is resting thereon. Holm's page holder is not applied directly to the book; rather, his retaining line extends across the book and is "attached to opposite sides of a swing arm" (104) (Holm col. 1, l. 67 to col. 2, l. 1).

**Holm Does Not Show a Dynamic Tensioning Mechanism**

Holm's object (107) is a "spool 107 which is then locked in place by fitting it over the locking pin 107B" (Holm col. 5, ll. 31-32). The single function of Holm's spool (107) is an initial adjustment: to dispense or take up slack to accommodate the specific size of reading matter when it is placed on the book holder. Once the length of his line (106) is adjusted, the spool (107) serves only to secure it in place across the reading matter by means of the locking pin (107B).

Holm's spool (107) is not "a tensioning mechanism set at a predetermined strength," which applicants recite in claims 1 and 11. The present invention's tensioning mechanism permits additional line to be dispensed by the pressure of the page itself being turned against the line.

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Nowhere in the reference does there exist any suggestion that a page might be turned against the retaining line. All prior art teaches removal/release of the line from the page.

#### **Holm Does Not Show Gripping Members**

Holm's objects (108) are "free-swinging latches 108 ... kept in place by a pressure exerted by the latches 108 against the back of the book support shelf 101 caused by an outward pressure exerted by the book upon the monofilament line 106" (Holm col. 5, ll. 32-36). Holm's latches (108) do not grip the book, nor clamp onto the book holder itself. "The latch 108 extends behind the book support 101 back when rotated, thus preventing the swing arm 104 from swinging open" (Holm c. 5, ll. 8-10). The latches function as tabs, and have no gripping properties. (Their usage is further discussed below, in the comparison of Holm's method with that of the present invention.) By contrast, the present invention's independent claims 1 and 11 recite "gripping members" which can be applied by the user to any given support for reading matter, as recited in claim 11.

#### **Holm's Line and Spool Are Not Attached To the Latches**

Holm's retaining line (106) and spool (107) are not attached to the latches (108), which themselves are not gripping members, as discussed above. Both the spool (107) and the other end of the line (106) are attached to opposite sides of the swing arm (104). The present invention's tensioning mechanism and the other end of the line are attached to the gripping members themselves, as recited in independent claims 1 and 11.

#### **The Method of Claim 11 Clearly Defines Over Holm Under § 102**

The O.A. stated that the method of independent claim 11 and dependent claims 12-14 & 18 are shown by Holm's structure. The O.A. went on to recite *applicants'* structure a second time, demonstrated above to be improperly applied to Holm, with the addition of applicants' "whereby" clauses from claims 1 and 11: "whereby the pages are retained in an open position and whereby a user can turn the page without delay or encumbrance and whereby the remaining pages are secure throughout the page turn."

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### **Holm Requires Delay and Encumbrance**

Like all prior art, Holm's page holder must be removed from the reading matter in order to turn the page, and retention subsequently restored. This is accomplished by the following series of maneuvers: "The swing arm is moved to the open position by pushing back against the swing arm which removes the pressure against the latches allowing the latches to drop clear, the swing arm is rotated down until parallel with the bottom of the book support shelf... In this position the monofilament line is below the book support shelf and the book page can now be turned. The swing arm is then returned to the closed position" (Holm c. 2, ll. 11-21).

Once it is applied, the present invention's method consists of simply turning the page "without delay or encumbrance," as recited in claims 1 and 11. Applicants accomplish this by the predetermined strength of the tensioning mechanism, "being sufficiently strong to retain pages in an open position, yet sufficiently light to enable page turning," as recited in claims 1 and 11. This predetermined tension allows the line to slacken as the page is lifted under it, but to remain against the reading matter throughout the page turn, automatically resuming its position flat across the pages as the page turn is completed. During operation, the user touches only the page itself.

### **Holm's Remaining Pages Are Not Secure**

Since, as stated in Holm's patent quoted above, "the monofilament line is below the book support shelf," the remaining pages are not secure throughout the page turn. The user is required to manually retain the other pages while turning the present page. Barring the user's direct intervention, the remaining pages are subject to breezes, drafts, and the closing tendency of bound books.

During a page turn, applicants' retaining line takes a horizontal "V" shape, with the apex formed by the page's edge between the user's fingers. On either side of the apex, the line slopes back

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toward the gripping members and thus across the edges of the remaining pages, which ensures their retention throughout the page turn.

**The Novel Physical Features of Claims 1 and 11 Produce New and Unexpected Results and Hence Are Unobvious and Patentable Over This Reference Under § 103**

Applicants submit that the novel physical features of claims 1 and 11 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Holm, or any combination of prior art.

These new and unexpected results are the ability of applicants' device to retain pages in an open position while enabling immediate, secure page turns. This results in a dramatic decrease in time, effort, and complexity. Applicants' page holder is therefore vastly superior to that of Holm, or any possible combination of prior art. The novel features of applicants' apparatus and method which effect these differences are, as stated, clearly recited in claims 1 and 11.

**The Present Invention Achieves Unexpected Results**

The present invention achieves results that are new, superior, unexpected, unsuggested, and surprising. The page is retained, but can be turned without touching the device itself.

**The Invention Has Attained Preliminary Commercial Success**

Enclosed are copies of feedback sheets by participants in a commercial evaluation. All participants stated that they would purchase the device.

**Applicants Have Advanced a Crowded Art**

There is a plethora of book holders and page holders in the prior art. Even a small step in such a field is significant; far more so is applicants' major advance.

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**The Invention Makes an Unsuggested Modification**

Holm makes no indication that his book holder be modified in a manner required to meet applicants' independent claims 1 and 11. Applicants' creative initiative demonstrates the page holder's unobviousness.

**The Invention Has Not Been Implemented**

If the present invention were obvious, those skilled in the art would surely have implemented it by now. The fact that it is not presently in use, despite its great advantages, indicates that it is not obvious. Currently available page holders are far inferior.

**Holm Is a Misunderstood Reference**

The O.A. indicates that Holm's reference was misunderstood, and does not teach what is claimed in the present invention.

**The Present Invention Solves a Long-Felt and Unsolved Need**

The need to retain pages and allow for page-turns is literally centuries old. Applicants are the first to invent an apparatus and method for achieving both without necessitating adjustment of the device.

**The Invention Is In the Process of Commercial Acquiescence**

A San Francisco Bay Area manufacturer has expressed an interest in the present invention, and is currently paying a product developer to prepare a factory prototype.

**The Device Is a Contrarian Invention**

All prior art teaches that a retaining line must be removed from the page to allow turning. The present invention goes against the grain of this teaching. Even common sense leads one to expect damage to the page if it were turned against the retaining line. Applicants have circumvented this apparent constraint.

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**The Invention Utilizes a New Principle of Operation**

The turning of a page against the retaining line is revolutionary. Applicants have blazed a trail, rather than followed one.

**Holm and Johnson Do Not Contain Any Justification to Support Their Combination, Much Less in the Manner Proposed**

The O.A. rejected claims 5 and 15 on Holm in view of Johnson, since Johnson retracts duck decoys with a reel biased by an elastic band.

With regard to the proposed combination of Holm and Johnson, it is well known that in order for any prior-art references to be validly combined for use in a prior-art § 103 rejection, *the references themselves* (or some other prior art) must suggest that they be combined. E.g., as was stated in In re Sernaker, 217 U.S.P.Q. 1, 6 (C.A.F.C. 1983):

[P]rior art references in combination do not make an invention obvious unless something in the prior art references would suggest the advantages to be derived from combining their teachings.

That the suggestion to combine the references should not come from applicants was forcefully stated in Orthopedic Equipment Co. v. United States, 217 U.S.P.Q. 193, 199 (C.A.F.C. 1983):

It is wrong to use the patent in suit [here the patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims pending]. Monday morning quarterbacking is quite improper when resolving the question of nonobviousness in a court of law [here the PTO].

As was further stated in Uniroyal, Inc. v. Rudkin-Wiley Corp., 5 U.S.P.Q.2d 1434 (C.A.F.C. 1988),

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[w]here prior-art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself ... *Something in the prior art must suggest the desirability and thus the obviousness of making the combination.* [Emphasis supplied.]

In line with these decisions, the Board stated in Ex parte Levengood, 28 U.S.P.Q.2d 1300 (P.T.O.B.A.&I. 1993):

In order to establish a *prima facie* case of obviousness, it is necessary for the examiner to present evidence, preferably in the form of some teaching, suggestion, incentive or inference in the applied prior art, or in the form of generally available knowledge, that one having ordinary skill in the art *would have been led* to combine the relevant teachings of the applied references in the proposed manner to arrive at the claimed invention. ... That which is within the capabilities of one skilled in the art is not synonymous with obviousness. ... That one can *reconstruct* and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that logic and reasoning also supplies sufficient impetus to have led one of ordinary skill in the art to combine the teachings of the references to make the claimed invention.... Our reviewing courts have often advised the Patent and Trademark Office that it can satisfy the burden of establishing a *prima facie* case of obviousness only by showing some objective teaching in either the prior art, or knowledge generally available to one of ordinary skill in the art, that 'would lead' that individual 'to combine the relevant teachings of the references.' ... Accordingly, an examiner cannot establish obviousness by locating references which describe various aspects of a patent applicant's invention without also providing evidence of the motivating force which would impel one skilled in the art to do what the patent applicant has done.



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In the present case, there was no reason given in the O.A. to support the proposed combination, and so the evidence is not sufficient to gratuitously and selectively substitute a part of one reference (Johnson's reel) for a part of another reference in order to meet applicants' novel claimed combination.

As stated in the above Levengood case,

That one can reconstruct and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that logic and reasoning also supplies sufficient impetus to have led one of the ordinary skill in the art to combine the teachings of the references to make the claimed invention.

Applicants therefore submit that combining Holm and Johnson is not legally justified and is therefore improper. Thus they submit that the rejection on these references is also improper and should be withdrawn.

Applicants respectfully request, if the claims are again rejected upon any combination of references, that the Examiner include an explanation, in accordance with M.P.E.P. § 706.02. Ex parte Clapp, 27 U.S.P.Q. 972 (P.O.B.A. 1985), and Ex parte Levengood, supra, a "factual basis to support his conclusion that it would have been obvious" to make the combination.

#### **Holm and Johnson Are Individually Complete**

Holm's book holder and Johnson's cord reel for duck decoys are each complete and functional in themselves, so there would be no reason to use parts from or add or substitute parts to either reference.

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**Holm Could Not Be Operatively Combined With Johnson**

If Holm's book holder and Johnson's cord reel for duck decoys were combined, they would produce an inoperative combination, especially in view of Holm's locking pin (107B).

**Modifications Necessary to Combine Holm and Johnson**

It would be necessary to make modifications not taught in the prior art in order to combine Holm and Johnson in the manner suggested. This further militates for the present invention's unobviousness.

**Even If Holm and Johnson Were to be Combined in the Manner Proposed, the Proposed Combination Would Not Show All the Novel Physical Features of Claims 1 and 11**

However, even if the combination of Holm and Johnson were legally justified, claims 1 and 11 (and thus dependent claims 5 and 15) would still have novel, unobvious physical features over the proposed combination. In other words, applicants' invention as defined by claims 1 and 11 comprises much more than merely substituting an elastic-biased reel for a spool.

Specifically, clauses (a), (b), (d), (f), and the latter two "whereby" clauses of claim 1 clearly distinguish applicants' device from Holm's and Johnson's, or any possible combination thereof, since these clauses recite:

- (a) a tensioning mechanism set at a predetermined strength, being sufficiently strong to retain pages in an open position, yet sufficiently light to enable page turning,
- (b) a plurality of gripping members, and
- (d) said tensioning mechanism being attached to one of said gripping members, and
- (f) the other end of said line being attached to the second gripping member,

whereby a user can turn said page without delay or encumbrance, and  
whereby the remaining pages are secure throughout the page turn.

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Neither Holm nor Johnson show these features, because neither of their devices permit page turns against the retaining line, nor are their devices applicable to any given support by means of the gripping members, nor do they show a tensioning mechanism ("set at a predetermined strength") attached to one of the gripping members, nor do they show the other end of the retaining line attached to another gripping member. Neither Holm nor Johnson can turn a page without delay or encumbrance, while simultaneously retaining the remaining pages.

As stated above, Holm's retaining line is static during use and must be removed and replaced by a cumbersome process to permit a page turn. Johnson's self-retracting reel lacks the specific tension requirements which applicants recite in claims 1 and 11. With the exception of his line and reel, Johnson's device bears no further resemblance to the present invention.

Thus applicants submit that their invention is much more than merely substituting an elastic-biased reel for a spool and that claims 1 and 11 clearly recite novel physical subject matter which distinguishes over any possible combination of Holm and Johnson. Since claims 5 and 15 merely recite additional subject matter, they are a fortiori patentable over Holm and Johnson.

**Holm and Sherratt, et al Do Not Contain Any Justification to  
Support Their Combination, Much Less in the Manner Proposed**

The O.A. rejected claims 6, 7, 16, and 17 on Holm on view of Sherratt, et al, since the latter reference shows a winding mechanism with a tension adjustment control.

As stated above, it is well known that in order for any prior-art references to be validly combined for use in a prior-art § 103 rejection, *the references themselves* (or some other prior art) must suggest that they be combined. In the present case, there was no reason given in the O.A. to support the proposed combination, and so the evidence is not sufficient to gratuitously and

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selectively substitute a part of one reference (Sherratt's tensioning wheel) for a part of another reference in order to meet applicants' novel claimed combination.

#### **Holm and Sherratt, et al Are Individually Complete**

Holm's book holder and Sherratt's movable barrier for infants are each complete and functional in themselves, so there would be no reason to use parts from or add or substitute parts to either reference.

#### **Sherratt, et al Is From a Different Field**

Sherratt's barrier is from a very different technical field than that of the invention, and is therefore nonanalogous art. Sherratt, et al stretch a sheet tautly across, e.g., a doorway to prevent infants from passing: "Normally it is desired to fix a strong tension within the barrier sheet 14, to provide a relatively solid wall which is not yieldable to any appreciable extent. This is done by rotating the tensioning wheel 38 and thus, the roller in the tightening direction ... to rotate the roller 16 in the retraction direction and increase tension. This causes a click-click-click of the ratchet assembly, as the pawl 62 ratchets against the ratchet wheel 60" (Sherratt et al, col. 5, ll. 15-23).

By contrast, applicants' tension adjustment control recited in claims 6 and 16 varies the strength of the tensioning mechanism itself. This determines the force required to draw additional length of the retaining line from the tensioning mechanism. Sherratt, et al clearly show a device that does not allow any slack to be dispensed during use, as such would be contrary to the barrier's function. Therefore, applicants' specific tension range recited in claims 7 and 17 is also quite inapplicable to Sherratt, et al.

#### **Modifications Necessary to Combine Holm and Sherratt, et al**

It would be necessary to make modifications not taught in the prior art in order to combine Holm and Sherratt, et al in the manner suggested. This further militates for the present invention's unobviousness.

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**Even If Holm and Sherratt, et al Were to be Combined in the  
Manner Proposed, the Proposed Combination Would Not  
Show All the Novel Physical Features of Claims 1 and 11**

However, even if the combination of Holm and Sherratt, et al were legally justified, claims 1 and 11 (and thus dependent claims 6, 7, 16 and 17) would still have novel, unobvious physical features over the proposed combination. In other words, applicants' invention as defined by claims 1 and 11 comprises much more than merely substituting a tensioning wheel for a spool. The novelty of specific clauses in applicants' independent claims over the references is discussed above.

Thus applicants submit that their invention is much more than merely substituting a tensioning wheel for a spool and that claims 1 and 11 clearly recite novel physical subject matter which distinguishes over any possible combination of Holm and Sherratt, et al. Since claims 6, 7, 16, and 17 merely recite additional subject matter, they are a fortiori patentable over Holm and Sherratt, et al.

**Applicants' Use of PVDF Produces a Synergism Greater  
Than the Respective Results of Holm and Hashimoto, et al**

The O.A. rejected claims 9 and 19 on Holm in view of Hashimoto, et al, since the latter reference discusses PVDF as used to prevent deterioration of the mechanical properties of the line.

However, applicants' specification discusses other properties of polyvinylidene fluoride specifically germane to the present invention: "PVDF is smoother and less refractive than ordinary monofilaments" (p. 5). Thus, PVDF provides for smoother page turns and less visual distraction/distortion of the reading matter. These are decidedly unobvious applications for PVDF not found in Holm or Hashimoto, et al, or any combination thereof.

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Moreover, since independent claims 1 and 11 define novel structure that produces new and unexpected results as described above, applicants submit that such claims are clearly patentable. Since claims 9 and 19 merely recite additional subject matter, they are a fortiori patentable over Holm and Hashimoto, et al.

**Holm and Capper Do Not Contain Any Justification to  
Support Their Combination, Much Less in the Manner Proposed**

The O.A. rejected claim 20 on Holm in view of Capper, since the latter reference discloses a clipboard. The O.A. stated that "it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Capper to have made the book holding device as a clipboard to hold a book or loose pages in place."

As stated above, it is well known that in order for any prior-art references to be validly combined for use in a prior-art § 103 rejection, *the references themselves* (or some other prior art) must suggest that they be combined. In the present case, there was no reason given in the O.A. to support the proposed combination, and so the evidence is not sufficient to gratuitously and selectively substitute a part of one reference (Capper's combination book holder and book stand) for a part of another reference in order to meet applicants' novel claimed combination.

**Holm and Capper Are Individually Complete**

Holm's book holder and Capper's combination book holder and book stand are each complete and functional in themselves, so there would be no reason to use parts from or add or substitute parts to either reference.

**Modifications Necessary to Combine Holm and Capper**

It would be necessary to make modifications not taught in the prior art in order to combine Holm and Capper in the manner suggested. This further militates for the present invention's unobviousness.

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**Even If Holm and Capper Were to be Combined in the  
Manner Proposed, the Proposed Combination Would Not  
Show All the Novel Physical Features of Claims 1 and 11**

However, even if the combination of Holm and Capper were legally justified, claims 1 and 11 (and thus dependent claim 20) would still have novel, unobvious physical features over the proposed combination. In other words, applicants' invention as defined by claims 1 and 11 comprises much more than merely substituting Capper's combination book holder and book stand for Holm's book holder and stand assembly. The novelty of specific clauses in applicants' independent claims over the references is discussed above.

Thus applicants submit that their invention is much more than merely substituting one book holder for another and that claims 1 and 11 clearly recite novel physical subject matter which distinguishes over any possible combination of Holm and Capper. Since claim 20 merely recites additional subject matter, it is a fortiori patentable over Holm and Capper.

**The Present Invention Is Not a Support for Reading Matter,  
But Has Unprecedented Versatility and Can Be Permanently  
Or Temporarily Applied to Virtually Any Given Support**

Dependent claim 20 refers to the present invention (a page holder) applied to any common clipboard, as depicted in Figure 4 of the drawings. Varying lengths of paper (19A) are retained in place, but can be turned up and free of the retaining line to wrap over the top of the clipboard, as is common practice. The method of claim 20, an example of which is depicted in Figure 4, is decidedly novel and unobvious.

**The Dependent Claims Are a Fortiori  
Patentable Over Holm and Other References**

Superseding the above discussions of combined references, dependent claims 2 to 10 and 12 to 20 incorporate all the subject matter of claims 1 and 11 respectively, and recite additional subject matter which makes them a fortiori and independently patentable over these references.

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Claims 2 and 12 additionally recite "wherein said gripping members are clamps." Holm's page holder is inextricably dependent upon his book support hardware, and has no gripping members—much less clamps—to permit the page holder portion of his device to be removed and applied to a different support for reading matter. Applicants' clamps (or alternate gripping members) enable the present invention to be applied to any given book holder, music stand, binder, etc., as discussed in the specification (p. 8).

Claims 3 and 13 additionally recite "wherein said tensioning mechanism is a self-retracting reel." As discussed above, Holm's spool is not self-retracting. Rather, "The monofilament line can be adjusted to books of different widths or thicknesses by a spool wound with the monofilament line and mounted on one side of the swing arm, which can then be rotated... and locked in place" (Holm, col. 2, ll. 21-25). By its retraction, applicants' reel provides the desired retaining force on the line against the pages.

Claims 4 and 14 additionally recite "wherein said reel is spring-biased." Holm's object (107C) is actually a compression spring (Holm, col. 4, l. 61) which exerts a dragging force against the face of the spool (107) (see Holm, Figure 19). This provides greater control when the user pulls out additional line to accommodate a thicker book, or rotates the spool (as quoted in the above paragraph) to take up slack. The spring functions simply to prevent the spool's slipping freely and dispensing excessive line (before the user inserts the locking pin (107B)), and enacts no torque force whatsoever. Applicants' spring-biased reel provides reliable, compact, durable retraction.

Claims 5 and 15 additionally recite "wherein said reel is biased by an elastic band." Applicants' elastic band is another means of providing "a predetermined strength, being sufficiently strong to retain pages in an open position, yet sufficiently light to enable page turning," as recited in claims 1 and 11. As discussed above, Johnson's elastic band has no such provision.



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Claims 6 and 16 additionally recite "a tension adjustment control on said reel." This control enables applicants to fine-tune a given unit of the present invention according to varying wind conditions, strength of book binding, thickness of paper, etc. This determines the amount of force exerted by the user to overcome the retention and turn the page against the retaining line. This is completely foreign to Holm and all other prior-art page holders, which require removal/release of retention to permit page turning.

Claims 7 and 17 additionally recite "wherein the force of tension ranges from approximately 0.05 N to 0.6 N." This specific range has been found to be ideal for most ordinary reading matter, and as stated in the above paragraph, is without precedent in principle or practice. This range ensures retention against the wind or the closing tendency of bound books, but enables page turns without damage to the paper. All prior art and even common sense teach away from the existence of such a range, which prove its unobviousness.

Claims 8 and 18 additionally recite "wherein said line is a monofilament." The inherent rigidity of monofilaments teaches away from the practice of turning a page directly against them. Applicants take advantage of the minimal visual distraction monofilaments provide by supplying a predetermined tension "sufficiently light to enable page turning." Again, this is clearly foreign to Holm or any combination of prior art.

Claims 9 and 19 additionally recite "wherein said monofilament is made from polyvinylidene fluoride." Though PVDF is discussed in Hashimoto, et al for its durability as a fishing line, as stated above, applicants utilize this material to maximize the effectiveness of the present invention. Among its benefits are smooth page turns and reduced visual distraction/distortion. These advantages are not taught by Holm, Hashimoto, nor any combination of prior art.

Claim 10 additionally recites "wherein said page holder is applied directly to a book." Applicants' page holder can be modified (as discussed on page 7 of the specification and depicted in Figure 5) and applied directly to a book. This embodies all the novel structure

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recited in claims 1 and 11, and obtains the same new and unexpected results. No prior art page holder accomplishes this, since they all require removal or release to permit a page turn.

Claim 20 additionally recites "wherein said support is a clipboard." As discussed above, the application of the present invention to a common clipboard is entirely novel, and further produces the unexpected result of permitting clipped pages to be wrapped over and behind the board, according to common use. Neither Holm, Capper, nor any combination of prior art accomplishes this.

### CONCLUSION

For all the above reasons, applicants submit that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore they submit that this application is now in condition for allowance, which action they respectfully solicit.

### Conditional Request for Constructive Assistance

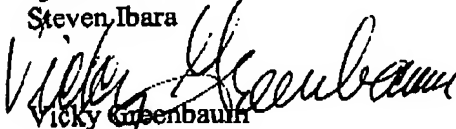
Applicants have amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

  
Steven Ibara

  
Crystal Steinke

  
Joel Jones

  
Vicky Greenbaum

  
Woodley Packard

  
Elisa Jones

Applicants Pro Se

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Enc: Disclosure with response forms by participants in an evaluation of the present invention.

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**Certificate of Facsimile Transmission.** I certify that on the date below I will fax this paper (including Appendix) to GAU 3632 of the U.S. Patent and Trademark Office at (703) 872-9306.

October 20, 2004

Elisa M. Jones